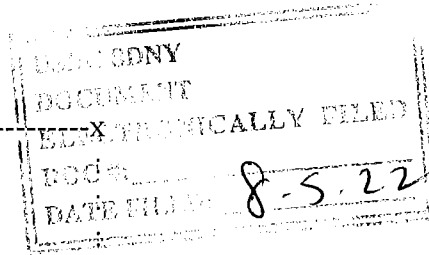


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JERMAINE MCGINNIS,
Plaintiff,

v.

ORANGE COUNTY; CORRECTION
OFFICER BANDES, Badge #105 or #106;
CORRECTION OFFICER M. CARTER, Badge
#339; CORRECTION OFFICER
DONAHOUGH; and CORRECTION OFFICER
D. POWEL,
Defendants.



ORDER

22 CV 3335 (VB)

Copies Mailed/Faxed
Chambers of Vincent L. Briccetti

8-5-22
DW

Plaintiff, who is proceeding pro se and in forma pauperis, commenced this action by filing a complaint. (Doc. #1). He asserts claims against defendants Orange County, Correction Officer Bandes, and Correction Officer Donahough, who have been served (the “Served Defendants”); and defendants Correction Officer M. Carter and Correction Officer D. Powles, who have not been served (the “Unserved Defendants”).


On August 4, 2022, the Served Defendants moved to dismiss the complaint. (Doc. #27). In the interest of judicial efficiency, the motion to dismiss is DENIED WITHOUT PREJUDICE. After the Unserved Defendants have been served and have appeared in this action, the Court will set a deadline for all defendants to answer, move, or otherwise respond to the complaint. To the extent any defendants plan to move to dismiss and are represented by the same counsel, they must file a single, combined motion to dismiss.

The Clerk is instructed to terminate the motion. (Doc. #27).

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket.

Dated: August 5, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge